

## STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.  
NORTHERN DISTRICT

SUPERIOR COURT

State of New Hampshire

v.

Michael Addison

Docket No.: 07-S-0254

**ORDER ON DEFENDANT'S REQUEST THAT  
ALL STATUS CONFERENCES AND HEARINGS  
OCCUR ON THE RECORD AND WITH DEFENDANT PRESENT**

Defendant's Request That All Status Conferences and Hearings Occur on the Record and with Defendant Present is DENIED. Defendant requests that all proceedings in this case be held in open court, on the record, with himself present.

The Defendant has a right to be present in those situations where his "presence has a relation, reasonably substantial, to the fullness of his opportunity to defend against the charge." *State v. Castle*, 128 NH 649, 651 (1986). He has a right to be present "to the extent that a fair and just hearing would be thwarted by his absence." *Id.* Often, a defendant's right to be present is satisfied by the presence of his counsel or by use of a record. See *Id.* and *State v. Bailey*, 127 NH 416 (1985).

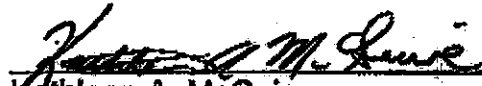
The Court intends to meet with counsel in chambers periodically to discuss scheduling and other housekeeping matters to ensure that this case

remains on track for scheduled hearings and the September 2, 2008 trial date. These conferences will be on the record. These conferences are simply not the type of proceeding where defendant's attendance is required. Moreover, transporting the defendant to such conferences would result in unnecessary expense and additional pretrial publicity, an issue he himself has expressed concern about in various pleadings.

SO ORDERED.

Date

4/9/07

  
Kathleen A. McGuire  
Presiding Justice